

DRAFT

**Minutes
Windsor Town Council Meeting
Town Hall
October 12, 2010**

The Windsor Town Council met in regular session on October 12, 2010 at 7:00 p.m. in the Council Chamber of the Windsor Town Hall, Windsor, Virginia. Mayor Carita J. Richardson was present, and she called the meeting to order. She welcomed those who were present. She asked for anyone with cell phones to please turn them off. She asked the Clerk to call the roll. Robin Hewett, Town Clerk, recorded the minutes. Michael Stallings, Town Manager, Police Chief Reynolds, Dennis Carney, Planning and Zoning Administrator, and Joshua Pretlow, Jr., Town Attorney were present.

Council members present: N. Macon Edwards, III
 Patty Flemming
 Wesley F. Garris
 Durwood V. Scott
 Greg Willis

Council member absent: J. Clinton Bryant

Mayor Richardson asked Councilman Scott to give the invocation and Pledge of Allegiance, and Councilman Scott did.

Public Hearing

None

Delegations, Public Comments, and Citizens Concerns

William L. Jones, 8 Virginia Avenue, said he had several concerns to bring before Council. Mr. Jones expressed the following concerns: the paving of South Butler Avenue, the safety issue of the corner of N. Court Street due to the bushes and trees, the rough pavement on Route 460 in front of the post office, metal accessory buildings and carports, and the safety issue of vehicles running the stoplight at the six-way intersection.

Consent Agenda

Mayor Richardson said the consent agenda includes the minutes of the September 9, 2010 Council Work Session, the minutes of the September 14, 2010 Council meeting, and the Treasurer's reports. Councilman Edwards said he had one correction to the September 9, 2010 minutes, which is on page three, "High School" should be "Middle School".

Councilwoman Flemming made a motion to approve the consent agenda with the mentioned change. Councilman Edwards seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #1.

Police Chief's Report

Chief Reynolds said the September report was included in the Council packets for Council's review. He said he has received citizen complaints regarding the six-way intersection and Lovers Lane and Route 460 intersection. He said after researching these safety issues there are criminal codes regarding the obstruction of view in regards to on-coming traffic. He said once he collects all pertinent information, he will meet with the Town Attorney to review the Town's options in correcting the vision problems at these two intersections.

Chief Reynolds said there is a traffic camera company in Virginia that requires nothing from the jurisdiction. He said the company takes their proceeds out of the proceeds that are generated from the violation fines. He said he has a representative from this company coming to talk with him about the traffic camera process. He said once he has additional information, he will pass it on to Council. Chief Reynolds said he will be having selective enforcement at the six-way intersection to cut down on the number of vehicles running the stoplight.

Chief Reynolds said the auxiliary program is moving along better than anticipated, and there are two confirmed candidates who will be introduced to Council at its November meeting. He said the youth auxiliary program candidate has been chosen, and the young man will also be introduced to Council at its November meeting.

Chief Reynolds reported that he is currently working on an awards system that will include outstanding achievements that have been made by any Windsor resident. He said an example of what he is talking about, is one of the Windsor Police Officer's son rescued his brother from drowning.

Chief Reynolds said he is in the process of conducting an inventory of all equipment and evidence in the department, and he plans to be completed by the end of November. He said the Windsor Police Department's policy and procedure manual will also be completed by the end of November.

Chief Reynolds recognized and commended Officer Owens and Officer Stephens for the excellent job they have done over the past several months during the shortage in staff and the long hours they were asked to work. He said both officers are a great asset to the department. He introduced the department's newest employee, Officer Parker Jernigan. He said Officer Jernigan is a resident of Windsor, and comes from the Portsmouth Sheriff's Office.

Chief Reynolds reported on other events and training that are taking place within the department. He said Chief Marshal will be the next President of the International Association of Chiefs of Police. He said he would like to request that the Town as a whole send a letter of congratulations to Chief Mark Marshal of the Smithfield Police Department for an outstanding achievement. He said this is a high honor for the County and State. Mayor Richardson said she thought that would be a good idea.

Councilman Scott said he attended the 9/11 Ceremony, and he wanted Council to know he had several comments and he also agreed, that Chief Reynolds had the best, most personal speech of all the speakers that spoke at the event. Mayor Richardson commended Chief Reynolds for representing the Town so well.

Council's Discussion of Citizens' Concerns

Mayor Richardson said the first item to discuss is Mr. Jones' concern about the road paving of South Butler Avenue. Mayor Richardson said the Town will support him with a letter to the Isle of Wight County Board of Supervisors asking that this be put on their list. Mr. Stallings said the current process for paving roads in Virginia is VDOT's Rural Rustic Road Program. He gave Mr. Jones and Council a brochure explaining the process. Mr. Stallings said he will send a letter to Thomas Wright and Douglas Caskey asking that they adopt a resolution to have South Butler Avenue on their list of roads to be paved.

Mr. Stallings said the Planning Commission and Mr. Carney are working on the subdivision ordinance and the metal buildings may be able to be addressed in this process of updating the ordinances.

Mr. Stallings said the Town is still working with the Virginia Department of Transportation (VDOT) on the road condition on Route 460 in front of the post office. He said the Town is pursuing this issue as a safety issue to possibly get a quicker response to repairing the road. He said he gave Mr. Jones VDOT's "800" number to report any repairs that need to be addressed by VDOT. Councilman Willis suggested posting the VDOT "800" number on the Town's information sign. Mr. Stallings suggested maybe putting it on the Town's website instead.

Councilman Willis said he had someone ask him if the letters that are going out regarding the Old Suffolk Road/Tyler Drive water line extension were going to the landowners, not just the residents. Mr. Stallings said he was going to address this issue under "other" under Town Manager's Report, but he will go ahead and discuss this now. He said the letters will be going out this week and they will be going out to the landowners. He said the letters will go to whoever is the landowner according to the tax records.

Councilman Garris asked about the water connection for Ms. Chapman on Church Street that he previously asked about several months ago. Mr. Stallings said he discussed this issue with the Maintenance Supervisor last week, and Mr. Sims said he was not aware of any house on Church Street that was not hooked to the Town's water system. He said there are some homes on Church Street that are hooked on the two inch line and not the bigger line. He said if the resident still feels that she is not hooked to the system he will have Mr. Sims re-check the connection.

Councilman Scott asked if Verizon was going to repair the sidewalk where they had to tear up when repairing the building. Mr. Stallings said Chief Reynolds spoke with someone with Verizon, and they said as soon as they finish construction of the building they will repair the sidewalk.

Town Manager's Report

Resolution Recognizing William Saunders

Mr. Stallings said the first item is a resolution for William Saunders. He said as Council is aware, Mr. Saunders resigned from Planning Commission at the end of August. He said Mr. Saunders was appointed to the Planning Commission on July 1, 2003, and he served for seven years and two months. He said the resolution commends Mr. Saunders for his service to the Town of Windsor as a member of Planning Commission. He said he would recommend that Council adopt the enclosed resolution, and that the Mayor present the resolution to him at its next Council meeting.

Mayor Richardson asked the Town Clerk to read the resolution. The Clerk read the resolution. Councilman Willis made a motion to adopt the resolution for William Saunders, and that the Mayor presents the resolution to him at the November Council meeting. Councilman Scott seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #2.

Resolution for the Windsor Chapter of the AARP 10th Anniversary

Mr. Stallings said the next resolution is commemorating the 10th Anniversary of the Windsor Chapter of the American Association of Retired Persons (AARP). He said this is a nonprofit, nonpartisan membership organization that helps people age 50 and over improve the quality of their lives. He said Windsor is fortunate enough to have an active chapter of the AARP based here. He said the local chapter of the AARP provides community services and volunteer work for the citizens of Windsor and surrounding localities. Mr. Stallings said he would recommend that Council adopt the enclosed resolution, that the Clerk read the title, and that the Mayor presents the resolution to the Windsor chapter of the AARP.

Mayor Richardson asked the Clerk to read the title of the resolution. The Clerk read the title of the resolution as follows: "A resolution commending the Windsor Chapter of the American Association of Retired Persons for the services and support it provides to citizens of Windsor, Virginia and in recognition of the Chapter's tenth anniversary".

Vice Mayor Garris made a motion to adopt the resolution entitled: *A Resolution Commending The Windsor Chapter Of The American Association Of Retired Persons For The Services And Support It Provides To Citizens Of Windsor, Virginia And In Recognition Of The Chapter's Tenth Anniversary* and that the Mayor presents the resolution to the Windsor Chapter of the AARP. Councilman Edwards seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #3. Mayor Richardson said she and the Vice Mayor will be attending the celebration of the AARP 10th Anniversary on October 20, 2010, at which time they will present them with the resolution.

Car Tax Relief Ordinance

Mr. Stallings handed out a copy of the car tax relief ordinance to each Council member for their review and consideration. He said each year the Town sets the rate of the car tax relief. He explained to Council how the percentage is calculated each year. He said the rate is thirty-five percent (35%) for 2010, which is the same rate as last year. Mayor Richardson asked the Clerk to read the title of the ordinance. Ms. Hewett read the title of the ordinance as follows: "An ordinance establishing a personal property tax relief percentage of 35% for Calendar year 2010 personal property tax bills".

Councilman Scott made a motion to adopt the ordinance entitled: *An Ordinance Establishing A Personal Property Tax Relief Percentage of 35% For Calendar Year 2010 Personal Property Tax Bills*. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #4.

Replacement Chair Options

Mr. Stallings said at the August meeting he presented Council with several options for replacement chairs for the Chamber. He said after some discussion, he was directed to investigate other options. He said enclosed in the Council packets is three additional options to consider. He said they are all very close in price, and he will leave it up to Council for their discussion and direction.

After discussion among Council, Councilman Edwards made a motion to have the Town Manager purchase the chair that is \$27.99 each for a total cost of \$1,239.32 (40 chairs). Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #5.

Chamber of Commerce Leadership Class

Mr. Stallings said he would like to ask for Council's permission to attend the Chamber of Commerce Leadership class. He said every two years the Isle of Wight-Smithfield-Windsor Chamber of Commerce conducts a "Leadership Isle of Wight" class. He said the class begins in January 2011 and runs through October 2011. He said the class meets on the third Friday of every month. Mr. Stallings said he feels the class will allow him to get to know the business community and government leaders throughout the County. He said the cost of the class is \$860 which would be paid out of the General Management Travel and Training budget line item. He said part of the application is an endorsement from your supervisor, which is Council. He said if it is consensus of Council to support and endorse this class, he will get the form to Mayor Richardson for her signature.

Mayor Richardson said she commends Mr. Stallings for wanting to take this class, and she feels it will be a good learning experience as well as a good networking experience. Councilwoman Flemming said she took the class and really enjoyed it.

Mr. Stallings said the intent is to also apply for the Clerk to go as well. He said when talking with Connie Rhodes, she did not think there would be a problem with two people attending from the same organization. He said he would be endorsing Ms. Hewett because he is her supervisor. It was the general consensus of Council to submit the application for the class.

Response from USPS

Mr. Stallings said as Council is aware, he sent a follow up letter to the United States Postal Service (USPS) representative in Greensboro, North Carolina on September 29, 2010. He said in that letter he asked for a meeting between the USPS and the Town of Windsor to be set up no later than October 29, 2010. He said attached is a copy of their response that was received on October 6, 2010. Mr. Stallings said according to their letter, they are no longer willing to meet with Council until Council has officially decided if the lease will be renewed or not. He said this item is on the Council agenda for discussion. He said he would recommend to Council to let the USPS know formally whether or not the lease is going to be renewed.

Mayor Richardson asked Council if it was willing to renew a lease with the USPS or not. Councilman Edwards asked if this item could be discussed further in closed session. Mr. Pretlow said this item could be discussed in closed session at the appropriate time.

Action List

Mr. Stallings said the action list for September is in the Council packet for Council's information.

Calendar of Events

Mr. Stallings said the Calendar of Events is included in the Council packet for Council's information. He said he would like to remind Council of the meeting with Thelma Drake scheduled on October 25, 2010 at 2:00 p.m. He said Halloween for Windsor will be celebrated on October 31, 2010.

Other

Mr. Stallings said Councilwoman Flemming had suggested checking with the owners of the property where the wells are located to see if they would be interested in purchasing the wells for irrigation. He said he is bringing this before Council for its discussion and for guidance and direction from Council.

After a brief discussion among Council, it was decided to discuss the value of the wells further in closed session.

Town Attorney's Report

No report.

Mayor's Report

Mayor Richardson said the Board of Supervisor's action list for September 23, 2010 is in the town office for anyone wishing to review.

Mayor Richardson reported on the VML Mayor's conference and VML annual conference she attended last week. She said she was able to do a lot of networking with other mayors.

Economic Development Authority

Councilman Scott said the Economic Development Authority will meet on October 18, 2010. He said enclosed in the Council packet is the terms of office of the Economic Development Authority. He said the EDA, at its September meeting, recommended the following terms of office for the membership: term ending June 30, 2011 Jacqueline R. Blythe and J. Randy Carr; June 30, 2012 Durwood V. Scott and George L. Stubbs, Jr.; June 30, 2013 Robert C. Claud and Everette M. Scott; and June 30, 2014 Patricia T. Allen.

Councilman Scott made a motion to approve the recommended terms of office for EDA as presented to Council. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #6.

Other Reports

None

Planning Commission

Mr. Carney said the September Planning and Zoning report shows four zoning permits were issued and ten notices of violation for inoperable vehicles and tall grass. He said Planning Commission had a very productive work session on the Land Use Ordinance. He said the Commission completed their review of the zoning districts.

Mr. Carney said there will be a public hearing for Planning Commission on the rezoning application from Windsor Development Corporation LLC at its October 27, 2010 meeting.

Mr. Carney said the developer has offered to give a tour of another neighborhood similar to what they are proposing to construct in Windsor. He said they have offered to have the tour on October 23, 2010. After Council discussion regarding the date, it was suggested to see if the tour could be changed to November 6, 2010. Mr. Carney said he would get in touch with the developer to see if this was a good time for them.

Mr. Carney said the next Planning Commission meeting is scheduled for October 27, 2010 at 7:00 p.m.

Old or Unfinished Business

None

New Business

None

Mayor Richardson asked if anyone had information from the VML annual conference that they would like to share. Councilman Willis said he would like to see if Mr. Stallings could get in touch with Bruce Elder to get a copy of the resolution that is going around the State pertaining to predatory lending. Mr. Stallings said he would see what he could find out about this resolution.

Vice Mayor Garris said he attended a session on blighted structures and has a handout to give to Mr. Stallings for him and the Town Attorney to review.

Mr. Stallings said the Town of Smithfield has expressed an interest to meet with Council for an intergovernmental meeting to discuss issues pertinent to both towns. He said he would like some feedback from Council as to what type of meeting they would like to have. He asked if Council wanted a formal sit down meeting around a table or would they prefer a luncheon type meeting. Mayor Richardson said she thinks having a meeting with the Town of Smithfield would be a good idea. Mr. Stallings said he will start working with Peter Stephenson, Town Manager for Smithfield to come up with some date to consider for an intergovernmental meeting.

Closed Session

Councilwoman Flemming made a motion to go into closed session pursuant to Virginia Code Section 2.2-3711, A-3 for the purpose of discussing real estate matters regarding the purchase of property within the Town of Windsor, the Post Office, and the wells on Tyler Drive. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #7.

Vice Mayor Garris made a motion to go back into regular session. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #8.

Councilman Willis made a motion pursuant to Virginia Code Section 2.2-3712, Subsection D that Council discussed only public business matters lawfully exempted from open meeting requirements, and that Council heard, discussed, or considered only such business matters as were identified in the motion that Council passed to go into closed session. Councilwoman Flemming seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #9.

Councilwoman Flemming made a motion to direct the Town Manager to contact the Post Office representative to let them know that the Town is willing to enter into a new lease. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #10.

Councilwoman Flemming made a motion that Council authorizes the Town Manager and Town Attorney to enter into negotiations on closed real estate property. Councilman Edwards seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #11.

Mr. Stallings said he will contact Lisa Perry and Thomas Wright of Isle of Wight County to let them know that the Town will be making an offer on the property.

Council discussed having a Saturday retreat to work on a plan for the Town. Council suggested having the work session on November 6, 2010 instead of having the tour with the developers, which was discussed earlier. Councilman

Edwards made a motion to have a planning work session on November 6, 2010 from 8:00 a.m. to 12:00 p.m. to discuss future plans for the Town. Councilman Willis seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #12.

Councilman Edwards made a motion to adjourn. Vice Mayor Garris seconded, and Council unanimously passed the motion as recorded on the attached chart as motion #13.

The meeting adjourned at 10:02 p.m.

Carita J. Richardson, Mayor

Robin Hewett, CMC
Town Clerk

TOWN OF WINDSOR
RECORD OF
COUNCIL VOTES

Council Meeting Date October 12, 2010

Motion #	Scott	Flemming	Edwards	Garris	Bryant	Willis	C. Richardson
1	Y	Y	Y	Y	Absent	Y	
2	Y	Y	Y	Y	"	Y	
3	Y	Y	Y	Y	"	Y	
4	Y	Y	Y	Y	"	Y	
5	Y	Y	Y	Y	"	Y	
6	Y	Y	Y	Y	"	Y	
7	Y	Y	Y	Y	"	Y	
8	Y	Y	Y	Y	"	Y	
9	Y	Y	Y	Y	"	Y	
10	Y	Y	Y	Y	"	Y	
11	Y	Y	Y	Y	"	Y	
12	Y	Y	Y	Y	"	Y	
13	Y	Y	Y	Y	"	Y	
14							
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							
41							
42							
43							
44							
45							

Windsor Town Council
October 12, 2010
Robin Hewitt, CMC
Clerk/Treas.